
UNITED STATES DISTRICT COURT
District of Minnesota

William Elmquist

JUDGMENT IN A CIVIL CASE

Plaintiff(s),

v.

Case Number: 18-cv-2668 DTS

Nancy A. Berryhill,
Acting Commissioner of Social Security,
States of America

Defendant(s).

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED THAT:

1. Plaintiff's Motion for Summary Judgment [Docket No. 14] is GRANTED. The case is remanded to the Administrative Law Judge for further consideration. In particular, the ALJ is directed to: (1) either make explicit his basis for determining the Plaintiff can relate to co-workers and supervisors on an "occasional" basis, or pose a hypothetical to the Vocational Expert that incorporates the agency reviewers' "brief and superficial" limitations; (2) incorporate the "environment with fewer persons" limitation into the hypothetical posed to the Vocational Expert; and (3) make transparent his determination regarding Plaintiff's panic attacks and incorporate that determination into the hypothetical posed to the Vocational Expert.

2. Defendant's Motion for Summary Judgment [Docket No. 17] is DENIED.

Date: 5/13/2019

KATE M. FOGARTY, CLERK

s/K. Krulas
(By) K. Krulas, Deputy Clerk